

### **Remarks**

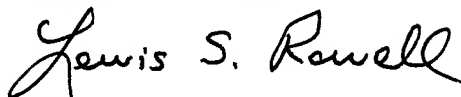
Applicant submits herewith a Declaration under 37 CFR 1.131, which attests to invention prior to September 25, 2000. Specifically, Applicant submits the second Declaration of Douglas Graham (the "Second Graham Declaration"), and Exhibits A, B, and C thereto. The Second Graham Declaration is submitted in order that the Examiner might use it as necessary to support the allowance of the claims now pending in this application (Claims 1-13, 15-31, 33, 35-52, 54-58 and 60-69).

It is anticipated that the Examiner will use Second Graham Declaration to overcome certain of the prior art references of record, notably the primary reference of Breiman, U.S. Patent No. 6,745,150. It is thus anticipated that all of the pending claims will be allowed because claims 1-13, 15-31, 33, 35-52, 54-58 and 60-69 clearly distinguish over all remaining references and combinations thereof. The submission of the Second Graham Declaration, however, is for expedience, and should not be interpreted as an admission that the Breiman reference renders any of the pending claims unpatentable, or that any combination of Breiman with other references of record is proper or renders any of claims 1-13, 15-31, 33, 35-52, 54-58 and 60-69 unpatentable. Applicant expressly reserves the right to argue and show (in future prosecution, reexaminations, reissues, and litigation) the patentability of claims 1-13, 15-31, 33, 35-52, 54-58 and 60-69 over Breiman and over all combinations of the references of record, without the benefit of the Second Graham Declaration.

It is submitted that this Reply, and the attached Second Graham Declaration, address all issues and overcome all rejections of the outstanding Office Action, and that the present application has been placed in condition for allowance. Applicant courteously requests early indication of allowance of the present case, including all pending claims 1-13, 15-31, 33, 35-52,

54-58 and 60-69. If any issue remains unresolved, Applicants' counsel would appreciate the opportunity for a telephone interview to expedite allowance.

Respectfully submitted,

A handwritten signature in black ink that reads "Lewis S. Rowell". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

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